

DIVISION 3. - C-1 RETAIL COMMERCIAL DISTRICT

Sec. 38-826. - Intent and purpose.

The intent and purpose of this C-1 retail commercial district are as follows: this district is composed of lands and structures used primarily for the furnishing of selected commodities and services at retail. This district will be encouraged:

- (1) At intersections of collectors and/or arterials;
- (2) Where it will not direct commercial traffic through residential districts;
- (3) Where adequate public facilities and services are available, as defined in the comprehensive policy plan;
- (4) Where compatible with adjacent areas or where buffers can be provided to ensure compatibility; and
- (5) To a limited extent in rural settlements throughout the county to meet the needs of an identified community, or in growth centers as defined in the comprehensive policy plan.

(P & Z Res., art. X, § 1; Ord. No. 91-29, § 2(Exh. A), 12-10-91; Ord. No. 95-16, § 22, 6-27-95)

Sec. 38-827. - Permitted uses.

A use shall be permitted in the C-1 district if the use is identified by the letter "P" in the use table set forth in section 38-77.

(P & Z Res., art. X, § 2; Ord. No. 91-15, § 18, 6-18-91; Ord. No. 92-41, § 31, 12-22-92; Ord. No. 95-16, § 22, 6-27-95)

Sec. 38-828. - Prohibited uses.

A use shall be prohibited in the C-1 district if the space for that use is blank in the use table set forth in section 38-77.

(P & Z Res., art. X, § 3; Ord. No. 91-14, § 1, 6-18-91; Ord. No. 92-41, § 32, 12-22-92; Ord. No. 95-16, § 22, 6-27-95)

Sec. 38-829. - Special exceptions.

- (a) A use shall be permitted as a special exception in the C-1 district if the use is identified by the letter "S" in the use table set forth in section 38-77.
- (b) Each application for a special exception shall be accompanied by a site plan incorporating the regulations established herein. The site plan shall be drawn to scale indicating property lines, rights-of-way, and the location of buildings, parking areas, curb cuts, and driveways. The site plan shall be submitted to and approved by the board of zoning adjustment prior to the granting of a land use and building permit. Upon such approval, the site plan shall become part of the land use and building permit and may be amended only by the board of zoning adjustment.

(Ord. No. 92-41, § 33, 12-22-92)

(P & Z Res., art. X, § 4; Ord. No. 95-16, § 22, 6-27-95)

Sec. 38-830. - Performance standards.

Performance standards are hereby established in order to assure adequate levels of light, air, building space, lot coverage, and density; to maintain and enhance locally recognized values of community appearance and design; to encourage the combination of smaller parcels into functional sites; to accommodate multiple ownership of land and improvements within the development; to provide for collective ownership of common areas; to promote functional compatibility of uses; to promote the safe and efficient circulation of pedestrian and vehicular traffic; and to otherwise provide for orderly site development standards in order to protect the public health, safety and general welfare.

- (1) Maximum floor area ratio (FAR): 3.0.
- (2) Minimum lot size: Six thousand (6,000) square feet.
- (3) Minimum width: Eighty (80) feet on major streets as identified in article XV, sixty (60) feet for all other streets. Corner lots shall be one hundred (100) feet on major streets as identified in article XV, eighty (80) feet on all other streets.
- (4) Minimum front yard: Twenty-five (25) feet, or major street setback as specified in article XV, whichever is greater.
- (5) Minimum side yard: Zero (0) feet, fifteen (15) feet when abutting a residential district, fifteen (15) feet from a side street or as otherwise provided in article XV.
- (6) Minimum rear yard: Twenty (20) feet.
- (7) Minimum setbacks: Fifty (50) feet from the normal high water elevation on every natural surface water body.
- (8) Minimum floor area: Five hundred (500) square feet.
- (9) Minimum open space shall be in accordance with Orange County Code chapter 24, article II, open space regulations.

(Ord. No. 92-42, § 10, 12-15-92)

- (10) Maximum building height: Fifty (50) feet, thirty-five (35) feet within one hundred (100) feet of all residential districts.
- (11) Landscaping, buffering and open space requirements shall be as provided for in Orange County Code, chapter 24.

(Ord. No. 92-42, § 13, 12-15-92)

- (12) Refuse or solid waste areas shall not be located within any front yard setback and shall be located at least five (5) feet from the side or rear property line. A six-foot-high masonry wall shall be provided around any refuse or solid waste areas located in any required yard adjacent to any residential district.

(Ord. No. 97-05, § 6, 4-29-97)

- (13) No entrances or exits shall direct traffic into adjacent residential districts.

(P & Z Res., art. X, § 5; Ord. No. 95-16, § 22, 6-27-95; Ord. No. 98-37, § 11, 12-15-98)

Sec. 38-831. - Site plan.

Each application for a land use and building permit shall be accompanied with a site plan which complies with the regulations established herein. The site plan shall be drawn to scale indicating property lines, rights-of-way, and the location of buildings, parking areas, curb cuts, driveways and landscaping. The site plan shall be submitted to and approved by authority and directive of the planning and zoning

commission prior to the granting of a land use and building permit. Upon such approval, the site plan becomes part of the land use and building permit and may be amended only by authority and directive of the planning and zoning commission.

(P & Z Res., art. X, § 6)

Sec. 38-832. - Off-street parking and loading.

All requirements in article XI of this chapter for vehicle and bicycle parking shall be met, provided that a minimum of four (4) vehicle spaces will be provided regardless of building site or use.

(P & Z Res., art. X, § 7; Ord. No. 2013-08, § 4, 3-26-13)

Sec. 38-833. - Pedestrian circulation.

A pedestrian circulation system shall be provided for all development within the C-1 zoning district that connects the commercial development to existing and proposed pedestrian and bicycle pathways.

- (a) Pedestrian walkways shall be provided from the site to the surrounding streets, external sidewalks, outparcels, and transit stops. Pedestrian walkways shall be designed to provide access between parking areas and the building entrance in a coordinated and safe manner using clearly delineated pavement markings and crosswalks. Separate paths shall be provided for pedestrian and vehicular usage. Shared walkways are encouraged between adjacent commercial and office projects. These pedestrian connections shall also be required of projects in the alternative mobility area, unless prevented by physical limitations of the site or adjacent sites.
- (b) Pedestrian access shall be provided at a minimum ratio of one (1) access point for each vehicular access point, excluding ingress and egress points intended primarily for service, delivery or employee vehicles. Such pedestrian access points shall provide connections to the adjacent public sidewalk system, transit stops and out-parcels. Pedestrian access points shall be located at the earliest point of off-site pedestrian walkway contact. Curb stops shall be required whenever parking facilities directly abut pedestrian walkways. Where the vehicle overhang encroaches on the walkway, such walkways, generally five (5) feet wide, shall be seven (7) feet wide.
- (c) Pedestrian walkways shall be a minimum of five (5) feet wide and be constructed of concrete, stamped or textured concrete, asphalt, or other material as may be approved by the zoning manager. Pedestrian walkways through a parking lot or driving area shall be designated or identified by not only painted stripes, but also other material or treatment to clearly designate or identify them as such. In addition, pedestrian walkways shall be curbed wherever possible.
- (d) Building perimeter crosswalks shall be designed and coordinated to move people safely to and from buildings and parking areas by identifying pedestrian crossings with signage and variations in pavement materials or markings.
- (e) Pedestrian walkways shall utilize shade trees or alternative cover along the full extent of walkways from the site to the external sidewalks, outparcels. and transit stop, if a transit stop is adjacent to the site, with the exception of areas crossing driveways, parking, and other vehicular areas.
- (f) Within the alternative mobility area, pedestrian-scaled lighting shall be provided along walkways that is consistent with article XVI of chapter 9, Orange County Code.
- (g) Reasonable breaks in landscaping in parking areas shall be made to allow pedestrians access through parking areas to points of destination.

(Ord. No. 98-29, § 5, 10-20-98; Ord. No. 2001-14, § 6, 6-19-01; Ord. No. 2013-08, § 5, 3-26-13)

Secs. 38-834—38-850. - Reserved.